

**GOTTLIEB & ASSOCIATES**  
ATTORNEYS

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March 28, 2022

**VIA ECF**

The Honorable John G. Koeltl  
United States District Judge  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *Crumwell v. Gold Coast Creations, Inc.*,  
Case No.: 1:21-cv-7690

Dear Judge Koeltl,

The undersigned represents Denise Crumwell, (“Plaintiff”) in the above referenced matter against Defendant, Gold Coast Creations, Inc. (“Defendant”). The undersigned respectfully requests an appearance before Your Honor to adjudicate the discovery issues. This letter motion is submitted in compliance with Your Honor’s Individual Rules and Practices in Civil Cases II(B) and SDNY Local Civil Rule 37.2.

**Plaintiff States:** November 19, 2021 The Court set the discovery schedule - in relevant part as: “The Parties shall complete fact discovery by April 1, 2022.” (Dkt. 12).

On January 11, 2022, the Plaintiff served initial disclosures, discovery demands and demands for interrogatories (Exhibit A). To date, Defendant has not responded to our discovery demands at all, nor have we received discovery demands of any kind from Defendant.

To date, no discovery responses have been received whatsoever, nor has Defendant provided a date certain for any such responses. Defendant has had 7 weeks to gather up the documents, which is ample time. Defendant has not moved for a protective order or identified any confidential information that would cause a delay. Failing to respond to the discovery sought is severely prejudicial to the Plaintiff, particularly given the nature of this case, and violates the Court’s scheduling order.

On February 22, 2022, I served a demand upon Counsel for the immediate response to the discovery.

On February 28, 2022, March 2, March 14, March 15, March 23, and March 26 I served Defendant's Counsel additional demands for responses to discovery. Defendant did not produce any responses. On March 22nd and 26th, I sought Defendant's availability for a '*meet and confer*' to avoid judicial intervention in this discovery dispute and Defendant has not even made itself available for a '*meet and confer*' conference.

Wherefore, it is respectfully requested that this letter motion to compel discovery be granted issuing an order compelling Defendant to provide outstanding written discovery, or for an order striking Defendant's Answer for willfully failing to provide written discovery, or preclude Defendant from offering any evidence at the trial of this Action and awarding such other and further relief as this Court may deem just and proper.

We appreciate this Court's and Your Honor's time and attention to this matter. Thank you for your anticipated cooperation in this matter. Should the Court have any questions, please do not hesitate to contact the undersigned attorney.

Respectfully submitted,

**GOTTLIEB & ASSOCIATES**

/s/Jeffrey M. Gottlieb, Esq.

Jeffrey M. Gottlieb, Esq.

cc: all counsel of record VIA ECF

Plaintiff's request for a discovery conference (ECF No. 15 (the "Letter-Motion") is GRANTED. A telephone conference is scheduled for **Thursday, April 21, 2022 at 11:00 am** on the Court's conference line. The parties are directed to call: (866) 390-1828; access code: 380-9799, at least five minutes before the scheduled time. Per the Court's Individual Practices, Defendant shall file a response to the Letter-Motion by **March 31, 2022**. The discovery schedule is HELD IN ABEYANCE pending the Court's resolution of the issues raised in the Letter-Motion.

The Clerk of Court is respectfully directed to close ECF No. 15.

SO ORDERED 3/30/2022

  
SARAH L. CAVE  
United States Magistrate Judge